



INTERIOR BOARD OF INDIAN APPEALS

Memorial Airfield Corporation v. Western Regional Director, Bureau of Indian Affairs

53 IBIA 27 (02/10/2011)

Related Board cases:

54 IBIA 171

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United States Department of the Interior

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INTERIOR BOARD OF INDIAN APPEALS
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MEMORIAL AIRFIELD)	Order Docketing and
CORPORATION,)	Dismissing Appeal
Appellant,)	
)	
v.)	Docket No. IBIA 11-050
)	
WESTERN REGIONAL DIRECTOR,)	
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	February 10, 2011

The Memorial Airfield Corporation (MAC or Appellant), on behalf of its “Board of Directors and Landowners/Beneficial Owners of [MAC],” through Chief Executive Officer Will Graven, appealed to the Board of Indian Appeals (Board) seeking review, pursuant to 25 C.F.R. § 2.8, of alleged inaction by the Western Regional Director (Regional Director), Bureau of Indian Affairs (BIA), based on BIA’s alleged “failure to protect the interest of the Landowners of the Memorial Airfield,” who “are also the Beneficial Owners of [MAC].” Notice of Appeal at 1. In its notice of appeal, Appellant contended that the Gila River Indian Community (Tribe) has “illegally seized, and controlled” the Memorial Airfield, *id.* at 7, and that “BIA, at both the Agency level (the ‘Pima Agency’ on the Gila River Community at Sacaton), and the Western Regional Office have never responded” to the “requests for help that numerous Landowners have made to the BIA,” *id.* at 1.

Upon receipt of the appeal, the Board issued an order for Appellant to show cause why this appeal should not be dismissed because it did not appear that Appellant had complied with the specific procedural requirements found in 25 C.F.R. § 2.8. *See* Pre-Docketing Notice and Order for Appellant to Show Cause, Jan. 13, 2011 (citing *Migisew-Asiniwiin Ojibwa Grand Council of Clans v. Director, Office of Self-Governance*, 41 IBIA 139, 140 n.1 (2005); *Hawkins v. Rocky Mountain Regional Director*, 40 IBIA 56 (2004)).

On January 25, 2011, the Board received a letter from Appellant withdrawing this appeal.¹

¹ According to Appellant’s letter, MAC and one of the landowners of the Airfield are now filing appeals with the Regional Director based on BIA’s alleged inaction.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed but dismisses this appeal.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge